

# Reforming functional skills qualifications in English and maths

## How to respond to this consultation

The closing date for responses is **22 November 2017 at 5pm**.

You can answer as many of the consultation questions as you like. You do not have to answer all of the questions, unless you wish to do so.

Please respond to this consultation in one of three ways:

- complete the online response (click 'Respond online' on the [consultation homepage](#)).
- complete this response form and email your response to [consultations@ofqual.gov.uk](mailto:consultations@ofqual.gov.uk). Please include the consultation title (Reforming functional skills qualifications in English and maths) in the subject line of the email and make clear who you are and in what capacity you are responding.
- Post your response to: Reforming functional skills consultation, Ofqual, Spring Place, Herald Avenue, Coventry, CV5 6UB, making clear who you are and in what capacity you are responding.
- **We can only consider your response if you fill in the 'About you' section at the end of the document.**

## How we will use your response

- Your response will be used to help us shape our policies and regulatory activity.
- After the consultation ends, we will publish a summary of responses received.
- We will not include your personal details in any published list of respondents, although we may quote from your response anonymously.

## Sharing your response

We may share your anonymised response with the Department for Education if it relates to the subject content for reformed functional skills qualifications.

If you are happy for Ofqual to attribute your response to you, in the responses shared with the Department for Education, please confirm this below:

**[X] When sharing responses with the Department for Education, I am happy for Ofqual to attribute my response to me.**

If you respond on behalf of an organisation, we will list your organisation's name and may publish your response in full unless you tell us not to. If you want any part of your response to stay confidential, you should explain why you believe the information you have given is confidential. If you check the box below, we will not include your details in any list of people or organisations that responded to the consultation.

**I want part of my organisation's response to remain confidential.**

Please explain which sections of your response you want kept confidential, and why:

Members of the public are entitled to ask for information we hold under information access law (such as the Freedom of Information Act 2000). We may have to disclose information covered by these laws. On these rare occasions, we will usually anonymise responses, or ask for consent from those who have responded, but we cannot guarantee confidentiality.

### **Contacting you**

Ofqual may sometimes follow-up responses received. If you are happy to be contacted about your response, please complete your details below.

**Telephone number: 0203 7863171**

**Email: [ailin.ocathain@awarding.org.uk](mailto:ailin.ocathain@awarding.org.uk)**

## Consultation questions

**Question 1:** To what extent do you agree or disagree that we should introduce requirements setting minimum, but no maximum overall assessment times for reformed functional skills qualifications?

- Strongly agree
- Agree
- Neither agree nor disagree
- Disagree
- Strongly disagree

The Federation appreciates Ofqual's proposal which offers Awarding Organisations (AOs) the flexibility to develop the most appropriate assessments for their market without any restrictions in terms of the maximum overall assessment time. However, feedback from our members has indicated that a generous range with a minimum and maximum for overall assessment time would be preferable. This may contribute to the overall perception in the market of the qualifications being comparable if the overall assessment time sits within an agreed and published range.

It would also be desirable to keep the range under review, particularly in the early stages of the life of the reformed Functional Skills Qualifications (FSQs), to ensure that the range is appropriate once there is evidence from assessments. This may help to more accurately identify what the most appropriate minimum- maximum range should be.

**Question 2:** To what extent do you agree or disagree that we should **not** set requirements around the number of assessments within individual functional skills qualifications?

- Strongly agree
- Agree
- Neither agree nor disagree
- Disagree
- Strongly disagree

Please explain your reasons

The Federation appreciates Ofqual's proposal which offers Awarding Organisations (AOs) the flexibility to develop the most appropriate approach to assessment for their market and learners. The draft requirements for the reformed FSQs present some challenges in terms of the number of assessments that may be required, particularly in relation to the need to assess learners with and without a calculator and with and without a dictionary. These requirements may well be best met through the provision of 2 separate assessments but individual AOs may choose to structure their assessments in other ways.

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The Federation believes that our members will develop approaches to assessment using their assessment expertise and their knowledge of what will work best for their particular profile of learners. This expertise, coupled with the requirement to provide Ofqual with an Assessment Plan as part of the up-front evaluation requirement, should be sufficient to ensure that the number of assessments that learners are required to take is appropriate, not over-burdensome for learners and centres and conducive to the awarding of valid qualifications.

Whilst the Federation would not welcome a cap on the overall number of assessments that could limit AOs flexibility to make sound judgements about the number they need to offer, we would hope that the requirement for AOs to submit an assessment plan to Ofqual will act as an appropriate safeguard against an AO that may propose any inappropriate approach to the assessment of the reformed FSQs. We know that there are concerns about a 'unitised' approach to assessment (beyond the assessments required for the 3 component parts of the English qualification) and we would hope that Ofqual would carefully consider how any such approach could impact on the overall validity of the qualifications and the assessment burden placed on learners and centres.

**Question 3:** To what extent do you agree or disagree that at the Entry levels we should allow, but not require, centres to set and mark the assessments?

- Strongly agree  
 Agree  
 Neither agree nor disagree  
 Disagree  
 Strongly disagree

Please explain your reasons

The Federation understands that this wording has been selected carefully and has been used to allow some flexibility where an AO may need to step in to set and/or mark assessments. We understand that if the wording 'required' centres to carry out these activities it could be difficult for AOs to take the most appropriate action in certain circumstances.

However, there are a couple of issues that it would be useful to address in the final approach to this aspect of the reformed FSQs:

- There is some concern that centres may, in a limited number of cases, use the flexibility implied by the proposed wording to require that the AO carries out these functions instead of the centre because they as centres would no longer be 'required' to set and mark the assessments. This could place AOs in a difficult position in terms of resources. This potential difficulty could be avoided if Ofqual records and communicates the intention of the statement and makes it clear that it is not intended to give centres an option/choice in relation to setting and marking assessment where these would normally be centre based activities. A footnote to explain this would be a useful reference point for centres and AOs in the future so it is clear from the outset what this statement means and it continues to be clear for the life for the FSQs. Often the intention of carefully worded phrases can be forgotten over time as people

move on within and from organisations so we feel it is important to have a written and public statement that clearly articulates the intention of the move from 'require' to 'allow'.

- The term 'set assessments' may also benefit from some clarification. The assessments are developed (set) by the AO and provided to the centres to contextualise, if they so wish, and use with the learners. Centres do not devise or set the assessments as this would have too many potential implications for comparability and overall validity. The use of the word 'set' implies that centres devise their own assessments and AOs would want it to be clear that they do not require this of centres or indeed allow this to happen. Clear communication of the true nature of the activities that centres are 'allowed' to undertake will be useful. It must be absolutely clear to centres that they are not free to devise/set their own assessments.

**Question 4:** To what extent do you agree or disagree that at Levels 1 and 2 we should require all mathematics assessments, and the reading and writing assessments in English, to be set and marked by the awarding organisation?

- Strongly agree  
 Agree  
 Neither agree nor disagree  
 Disagree  
 Strongly disagree

The Federation agrees that this is an appropriate requirement as it will contribute towards ensuring the comparability and validity of assessments. We have assumed that the AO will still be permitted to work in collaborative arrangements with other AOs or third parties for these functions as they will retain the overall responsibility for the activities under the requirements of the General Conditions of Recognition.

**Question 5:** To what extent do you agree or disagree that at levels 1 and 2 for the speaking, listening and communicating assessments in English we should allow, but not require, centres to set and mark the assessments?

- Strongly agree  
 Agree  
 Neither agree nor disagree  
 Disagree  
 Strongly disagree

The points made in response to Q3 above also apply here. We understand the need for this wording and believe the key issue is that the intention of this wording is recorded and clearly communicated so there is ongoing clarity of what role centres will normally be expected to play in the assessment of the FSQs.

**Question 6:** To what extent do you agree or disagree that we should **not** place any restrictions around availability of assessments in reformed functional skills qualifications?

- Strongly agree
- Agree
- Neither agree nor disagree
- Disagree
- Strongly disagree

The flexibility of the availability of assessments is an aspect of the current FSQs that is recognised and valued by centres, employers and learners. The review of Functional Skills which was carried out by Pye Tait on behalf of the Education Training Foundation highlighted the value of this approach. Each AO makes a decision about what it can offer to its centres and this may be limited assessment opportunities or access to assessment via on-line systems that is 24/7. Having this choice and range of options in the market is valuable and the Federation strongly supports the continuation of this flexibility. The over-riding issue is that the assessments need to be valid and reliable, however frequently they are made available and we believe that AOs expertise in assessment, coupled with Ofqual's regulatory oversight will ensure this is the case both with the current and future FSQs.

**Question 7:** To what extent do you agree or disagree that we should continue to have a pass/fail grading model for reformed functional skills qualifications?

- Strongly agree
- Agree
- Neither agree nor disagree
- Disagree
- Strongly disagree

Please explain your reasons

The Federation is in favour of the continuation of a pass/fail model for the FSQ. We do not feel that grading is appropriate for these qualifications and we appreciate Ofqual's proposal to retain the current pass/fail model.

However, we are mindful that we have been provided with content by DfE which has raised significant concerns amongst our members, including concerns about the increased level of demand indicated by the content. We do not believe that the content requirements have been calibrated to nationally defined and regulated level expectations. The standards articulated are often well above any nationally defined performance expectations. Neither is the content consistent with 'equivalent' qualifications and programmes. If this level of demand is not addressed appropriately as part of the DfE consultation process there is a risk that because the level of demand will be beyond the established level expectations, learners' achievement rates in the reformed FSQs will be adversely affected. In this scenario it might then become an undesirable, but necessary, requirement to revisit

whether a graded approach would offer any potential solutions to this issue. This is a highly undesirable way forward but may be something we need to revisit in the future, depending on the final content that is released by DfE.

**Question 8:** To what extent do you agree or disagree that, at Levels 1 and 2, awarding decisions made **before** assessments have been taken by all learners involved must either:

- use pre-set pass marks based on rigorous pre-testing of the assessments
- in setting pass marks, draw on evidence from the actual performance of a sufficiently representative sample of the anticipated cohort

Strongly agree

Agree

Neither agree nor disagree

Disagree

Strongly disagree

Please explain your reasons

The Federation agrees that it will be important to the overall validity of the awards for there to be robust evidence to support the setting of each pass mark. It is important for reliability, comparability and overall validity that pass marks consistently reflect the threshold at which learners have demonstrated the standard required by the FSQs.

Both of the proposed approaches would benefit from further discussion with AOs around the detail of the requirements e.g. what will be a 'representative sample'. The Federation would be happy to support Ofqual in any such discussions with AOs, either through the FAB Functional Skills Group or other meetings/dialogue, as appropriate.

**Question 9:** To what extent do you agree or disagree that, at Levels 1 and 2, for awarding decisions made **after** assessments have been taken by all learners involved, we should restrict the number of awarding sessions an awarding organisation can hold to no more than four each year?

Strongly agree

Agree

Neither agree nor disagree

Disagree

Strongly disagree

Please explain your reasons

The Federation understands why Ofqual would seek to restrict the number of awarding sessions to ensure that a sufficient number of learners have taken the assessment in each window. However,

although 4 awarding sessions per year may be appropriate for some AOs, given the anticipated size of their market, it may not be appropriate for all AOs. The Federation would suggest that the number of awarding windows could be proposed by each AO as part of the assessment plan that will be submitted to Ofqual. Justification for the number of assessment sessions it is proposing can be provided by each AO. This approach would ensure that any limitation that is placed on the number of awarding sessions is appropriate to the specific AO. This is preferable to the blanket, one-size-fits-all approach that has been proposed which may place an unnecessary limitation on some AOs.

**Question 10:** To what extent do you agree or disagree that we should regulate differently for the first year of awards for reformed functional skills qualifications to ensure initial standards are set appropriately?

- Strongly agree
- Agree
- Neither agree nor disagree
- Disagree
- Strongly disagree

Please explain your reasons

The Federation believes that it is important for the standards of the Functional Skills awards to be set appropriately. There is likely to be a high level of scrutiny of the reformed FSQs and any evidence that the standards of awards are not at the required level will have the potential to damage the reputation of the reformed FSQs in the eyes of learners, centres, employers and government. We all need the reformed FSQs to quickly establish their place as robust, high-quality qualifications in English and Maths and learner deserve the assurance that they have been assessed to the right standard whenever they undertake their assessment.

However, it is not clear why a different approach to regulation would be required if the regulator takes steps to ensure that the awarding of the FSQs is robust from the outset. If this is to be implemented then the details of what 'regulate differently' means in reality will need to be laid out more fully for AOs and the Federation is very willing to support Ofqual in further dialogue with our members.

**Question 11:** To what extent do you agree or disagree that, for Levels 1 and 2, we should require an enhanced level of scrutiny of qualification outcomes post-awarding?

- Strongly agree
- Agree
- Neither agree nor disagree
- Disagree
- Strongly disagree

Please explain your reasons

AOs want the reformed FSQs to be held in high regard by learners, centres, employers and the government. It is important to us all that the qualifications achieve their purpose and that, without exception, they are seen to assess learners reliably at the appropriate standard.

The Federation agrees that post-awarding scrutiny would add value. We support this scrutiny being post-awarding so that the availability of assessment opportunities is not curtailed as they would be by pre-awarding requirements. We also believe that this activity will be beneficial to AOs as it will: provide them with a useful source of feedback on their own assessments for the basis of continuous improvement; provide them with useful evidence of compliance with H3.1c; and, provide useful evidence of comparability across AOs to counter any allegations/perceptions that one AO's assessments are easier to achieve.

The details of how this post-awarding scrutiny will operate will benefit from further discussion. AOs who attend the FAB Functional Skills Group have already had preliminary discussions about how this could be achieved and they would welcome further dialogue with Ofqual on its requirements for this scrutiny, such as the type and frequency of activity that will be required.

The Federation also feels that, in addition to post-awarding scrutiny, it will be important to 'pre-standardise' as far as is possible by ensuring there is a common, shared understanding of what a pass in each FSQ is and what a candidate with a pass will be able to do. This will help AOs to identify 'what a pass looks like' and should contribute towards there being fewer issues to address following the post-award scrutiny activity. Through the FAB Functional Skills Group, the Federation has previously provided Ofqual with a first draft proposal for pre-standardisation and post-awarding scrutiny which AOs would take a leading role in and we would welcome further discussions about how this could operate to best effect in the future.

**Question 12:** To what extent do you agree or disagree that we should set a process for reviewing qualification outcomes for the Entry levels, and for speaking, listening and communicating at Levels 1 and 2, that

- has the same purpose to that proposed for levels 1 and 2
- is tailored to the fact that these assessments are likely to be set and marked by the centre

Strongly agree

Agree

Neither agree nor disagree

Disagree

Strongly disagree

Please explain your reasons

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The Federation agrees that a process for reviewing qualification outcomes for the Entry levels and for SLC at levels 1 and 2 will be valuable. Further discussion/clarification of these requirements will be beneficial.

**Question 13:** To what extent do you agree or disagree that we should set requirements and/or guidance around awarding organisations' centre-monitoring procedures in relation to functional skills qualifications?

- Strongly agree
- Agree
- Neither agree nor disagree
- Disagree
- Strongly disagree

Please explain your reasons

The Federation is mindful of the fact that the Ofqual General Conditions of Recognition (GCRs) are already a substantial and comprehensive set of requirements for AOs to comply with. We fully understand that these may need to be amended, updated and added to as regulation evolves and new approaches are introduced to the market (such as end-point assessment in apprenticeships). However, in relation to the reformed FSQs we believe that the current GCRs provide sufficient basis for effective regulation of centre monitoring arrangements. We therefore do not see the value of introducing either new Conditions or specific requirements for FSQs that sit below the GCRs. This appears to us to be adding burden without adding significant value.

**Question 14:** To what extent do you agree or disagree that we should set requirements on awarding organisations to produce guidance for centres on the conduct and assessment of speaking, listening and communicating?

- Strongly agree
- Agree
- Neither agree nor disagree
- Disagree
- Strongly disagree

Please explain your reasons

As with Q13, the Federation believes the existing GCRs are sufficient to require AOs to be clear with centres what is required for the SLC assessments. We do not believe it is appropriate to add to the burden of regulation by duplicating existing requirements.

**Question 15:** To what extent do you agree or disagree that we should set a requirement for awarding organisations to produce a document covering their approach to assessing reformed functional skills qualifications?

- Strongly agree
- Agree
- Neither agree nor disagree
- Disagree
- Strongly disagree

Please explain your reasons

The assessment of the reformed FSQs may present some challenges for AOs, depending on what the final requirements are in terms of calculator/non-calculator, dictionary/non-dictionary, underpinning skills, underpinning skills in a context, problem solving and any associated weightings etc. This may be particularly challenging for AOs who are entering the FSQ market for the first time. The appropriateness of each AOs approach to assessing FSQs will be a crucial aspect of ensuring that the FSQs are robust in their valid assessment of the agreed standard. We therefore feel that an up-front evaluation by the regulator of the planned approach to assessing the reformed FSQs will add value and will provide assurance to all stakeholders that although AOs may have different approaches to assessment they are all appropriate.

The Federation would like to see clear requirements for this document articulated for AOs as far in advance as possible to maximise the potential for AOs to have this agreed with Ofqual on the first attempt and to avoid the need for multiple resubmissions which will waste time that is not available in the overall project timescale and be frustrating for AOs and Ofqual. It would be useful if Ofqual could clarify exactly what is required, including whether sample assessment materials are required at that point and whether AOs can then release these samples to centres, with the appropriate caveats. Having such clarity at the outset should also help to ensure that documents can be reviewed consistently by different Ofqual reviewers so AOs are not disadvantaged by the interpretation of the requirements that is applied by a specific reviewer.

**Question 16:** To what extent do you agree or disagree that once reformed functional skills qualifications are available, we should require awarding organisations to make current functional skills qualifications available for a minimum of 9 months, and a maximum of 12 months which would include all resits?

- Strongly agree
- Agree
- Neither agree nor disagree
- Disagree
- Strongly disagree

Please explain your reasons

The Federation believes that the transition from the current to the reformed FSQs will be an important period of time and we understand the need to ensure that there is a transition period that allows learners who are currently registered a reasonable amount of time to complete their qualification and

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resit assessments, if required. In regards to a transition period, fairness to learners is of paramount importance to our members.

However, we are also mindful of a number of other factors, including:

- the need to ensure that centres register new learners onto the reformed qualifications when they are available and not onto the legacy qualifications which may still be available for a number of months. We understand that funding methodology may control this to some extent but some centres may find it attractive to try find a 'work around' which allows them to register learners for the legacy qualifications.
- the need for the number of learners taking assessment for reformed FSQs to be sufficient to meet any requirements to gather evidence from a representative sample prior to awarding taking place.
- the fact that different transition periods will suit different AOs, their centres and their learners.

We therefore believe that Ofqual should allow each AO to propose its preferred transition period, supported by evidence which supports its case. Ofqual should then review the evidence and propose a transition time that is most appropriate for the majority of AOs. This may still end up being the 9-12 months but we would want to see some opportunity for all AOs to present evidence to Ofqual to inform the decision on what the final transition period should be. It will be important for all AOs to observe the same transition period to ensure there is clarity in the market and learners are not shifter from one AO to another simply because a centre wants to delay the implementation of the new FSQs for as long as possible.

**Question 17:** To what extent do you agree or disagree that we should assign weighting ranges to the content areas for reformed functional skills qualifications in mathematics?

- Strongly agree  
 Agree  
 Neither agree nor disagree  
 Disagree  
 Strongly disagree

Please explain your reasons

The assignment of weighting ranges will aid consistency in assessment and marking.

**Question 18:** To what extent do you agree or disagree that any weighting ranges set for content areas should differ between the levels in reformed functional skills qualifications in mathematics?

- Strongly agree  
 Agree

Neither agree nor disagree

Disagree

Strongly disagree

Please explain your reasons

Any weightings set need to be appropriate for the level of the qualification and should be considered on a qualification by qualification basis.

**Question 19:** To what extent do you agree or disagree that we should set weightings for calculator-based and non-calculator-based assessment within reformed functional skills qualifications in mathematics?

Strongly agree

Agree

Neither agree nor disagree

Disagree

Strongly disagree

Please explain your reasons

The Federation believes there is much to be discussed and agreed about the assessment of the reformed FSQs and how this will operate overall.

At present there seems to be an assumption by AOs that the assessment of the underpinning knowledge will be conducted without a use of a calculator and that the calculator/non-calculator requirement will result in the need for two separate assessment papers. Weighted contributions from each paper to a single, overall pass mark may not then be workable because:

- To facilitate resits AOs would want to be able to report a pass / fail outcome for each paper. With a single pass mark covering two papers, it seems likely that candidates who do not pass, would have to retake both papers (even if they had performed well in one of the papers first time). There are likely to be additional cost and resource implications related to this but more importantly, learners would be required to repeat assessments they have already performed well in for no assessment-related reason.
- With a single overall pass mark, AOs may have to set the overall pass mark unrealistically high to prevent undue compensation between the two papers/sections and/or the regulations would need to be explicit that such compensation is permitted.

**Question 20:** To what extent do you agree or disagree that we should set weightings for the assessment of underpinning skills, underpinning skills in an applied context and problem solving in an applied context in reformed functional skills qualifications in mathematics?

- Strongly agree  
 Agree  
 Neither agree nor disagree  
 Disagree  
 Strongly disagree

Please explain your reasons

The Federation believes that setting weightings for the assessment of underpinning skills, underpinning skills in an applied context and problem solving in an applied context has the potential to make the development and marking of assessments overly complex. In particular, we believe that a separate category for 'underpinning skills in context' is unnecessary and the 'Underpinning skills' category should allow AOs to make judgements about the extent to which it is useful to include some context. AOs should be given the flexibility to decide on the most appropriate way to assess underpinning skills and whether the assessment requires some context or not

There are areas of this proposal that would benefit from further clarification:

- Would the assessment of 'Underpinning skills in an applied context' be aiming to assess the underpinning skill or the ability to interpret the context?
- The three categories are not apparent from the DfE Subject Content documents; there appears to be some further level of interpretation of the requirements of mathematics underlying this proposal.
- It is not clear from this whether/how underpinning skills would be assessed within problem solving (as they are by the qualifications now). Having three categories, all assessing 'underpinning skills' in some way, does suggest that the qualifications will be heavily skewed in this direction.

**Question 21:** To what extent do you agree or disagree that we should set greater emphasis on the assessment of underpinning skills in an applied context and problem solving in an applied context than on underpinning skills in reformed functional skills qualifications in mathematics?

- Strongly agree  
 Agree  
 Neither agree nor disagree  
 Disagree  
 Strongly disagree

Please explain your reasons

Q20 above outlines our concerns about the three proposed categories, the clarity of these and what this means for assessment. However, in relation to the more contextualised approach to assessment we believe that the purpose of the FSQs is to equip learners with English and Maths skills that they can use in employment and real-life situations. The assessment of skills within a context can help

learners to understand why the specific skills are appropriate and important and where they might be useful to them in 'real life'. Assessment within a context is something that sets FSQs apart from some other English and maths qualifications and this is an emphasis that we believe should be retained.

**Question 22:** To what extent do you agree or disagree that we should set a requirement that learners must pass each of the three content areas (reading, writing, and speaking, listening and communicating) in order to achieve an overall pass in functional skills qualifications in English?

- Strongly agree
- Agree
- Neither agree nor disagree
- Disagree
- Strongly disagree

Please explain your reasons

The Federation believes that each of the 3 components of English are important and the requirement to successfully pass all 3 components should be retained. It could potentially be confusing to users of the qualifications if a learner was awarded a certificate when they had not passed one of these components. It is likely that employers would be confused by this (i.e. one job applicant with FSQ level 2 could speak to the required standard of English but not read/write to the standard but another applicant could read/write but not speak etc.) and this would have an impact on what the purpose of the FSQs was and the perception of how valuable the qualifications are. It is also questionable whether it would be really of any use to the learners to have qualification that did not require competence in all 3 components and whether the qualification would equip them for work and life.

**Question 23:** To what extent do you agree or disagree that we should set a weighting for spelling, punctuation and grammar that will apply to the writing assessments for functional skills qualifications in English?

- Strongly agree
- Agree
- Neither agree nor disagree
- Disagree
- Strongly disagree

Please explain your reasons

There is already a weighting applied for SPaG and this should be continued.

**Question 24:** To what extent do you agree or disagree that for those sections of online writing assessments where spelling, punctuation and grammar will be assessed for functional skills qualifications in English, we should set a requirement that disallows spelling, punctuation and grammar checks?

- Strongly agree
- Agree
- Neither agree nor disagree
- Disagree
- Strongly disagree

Please explain your reasons

The FSQs are intended to provide learners with skill for work life as well as everyday life. Part of work-life commonly requires the use of computers which generally have spelling and grammar checking facilities. It would be unusual for an employer to turn these functions off and it is more likely that an employer would encourage/require its staff to use these facilities to assist in the production of accurate work. It would therefore seem to be more in keeping with the overall purpose of the qualifications if learners were allowed to use these facilities during assessments to ensure they understand what these facilities do, their limitations and how to use them to best effect. It is worth noting that not all on-line assessment systems currently offer access to this functionality.

We understand that this presents some issues of fairness in relation to the advantage it may provide to those learner who take on-line assessments in comparison to those learners who take paper-based assessments. An on-line spelling/grammar check will flag up potential errors and highlight to a learner that there may be a problem and provide options to choose from. A paper-based assessment does not offer the facility to flag up potential errors or provide options for corrections and requires the learner to spot a mistake or be uncomfortable enough with their first attempt to take the time to check it/use a dictionary to check spelling etc. It does, therefore seem unfair that more skill is being required of those learners who take paper-based assessments.

On balance, the Federation believes that the purpose of the qualifications would be better served if learners were allowed to be assessed with facilities that will be commonplace in their working and everyday life. The potential unfairness could be addressed through the marking and awarding process which should take this issue into account when determining the marks for SPaG and overall pass mark for on-line tests and paper-based tests.

Whatever is decided it will be important that Ofqual issues clear information on what is and is not permitted to ensure all AOs are clear about what they can allow in their assessments. Consistency of approach is vital to ensure fairness in learner assessments.

**Question 25:** Do you think that we should set a mark-based or a level-based approach to the assessment of Speaking, listening and communicating for functional skills qualifications in English? Please give reasons for your answer.

- Mark-based approach
- Level-based approach

Please explain your reasons

A level-based approach is currently in use and works well. A mark-based approach would potentially introduce unnecessary granularity and potential for confusion within centres.

**Question 26:** To what extent do you agree or disagree that we should set mandatory common assessment criteria for speaking, listening and communicating at each level for functional skills qualifications in English?

- Strongly agree
- Agree
- Neither agree nor disagree
- Disagree
- Strongly disagree

Please explain your reasons

The Federation agrees that it would benefit the consistent assessment of the SLC component of English if there was a common set of assessment criteria that all AOs used with their centres. These criteria will be particularly useful if the current issues with the content are not addressed as AOs would be dealing with content that is not sufficiently clear and does not lend itself to reliable and consistent assessment. However, the common assessment criteria should only specify what is required to achieve a pass in SLC and should not attempt to describe different levels of a pass which serves no purpose in a pass/fail methodology.

We also feel it would be beneficial to have common assessment criteria for the other component parts of English and to consider this for Maths too. The draft content is not a sufficient basis for consistent assessment.

**Question 27:** To what extent do you agree or disagree that we should set rules around the assessment of reading and spelling of words contained in the appendix of the subject content?

- Strongly agree
- Agree
- Neither agree nor disagree
- Disagree
- Strongly disagree

Please explain your reasons

The Federation does not agree with the inclusion of a prescribed list of words in the content of the FSQs. We have provided feedback to DfE about the issues that the use of a prescribed list of words presents and we would hope not to see this requirement in the final content, other than as a list of examples. The inclusion of a spelling list has implications for learner motivation, teaching and assessment time, achievement of the purpose of the qualification (which would be unduly skewed

towards spelling) and the overall validity of assessment. We have shared our detailed concerns about the prescribed list of spelling with Ofqual, separately.

However, if this requirement does remain as part of the content then it would be useful, for the sake of consistency, if Ofqual worked with AOs to agree how the assessment of the lists should be approached.

**Question 28:** We have set out the ways in which our proposals could impact (positively or negatively) on learners who share a protected characteristic.<sup>1</sup> Are there any potential impacts that we have not identified?

Yes

No

Please provide details:

The Federation is concerned about two key changes in the assessment of the reformed FSQs: the requirement for learners to be assessed without the use of a calculator (in part) and the requirement for learners to be assessed (in part) without the use of a dictionary. The Federation is concerned these requirements may present unintended barriers to achievement for learners with learning needs.

Calculators do not give learners the correct answers unless they have the knowledge required to enter the right commands into the calculator. To do this they need to understand the underpinning mathematical process required to achieve the correct answer. It is still possible, and indeed very easy, to obtain an incorrect answer when using a calculator if you key-in the wrong instructions. If the aim of the FSQ in Maths is to assess learners' ability to engage in higher-order thinking such as solving problems and working with real-world data, the use of calculators can benefit all students including those with learning disabilities who might otherwise be unable to participate in these activities. Access to calculators for those with dyscalculia can help with learning and access to assessments. It is the potential impact on learners with learning difficulties that concerns us the most as the requirement to work/be assessed without access to a calculator could present a significant barrier to achievement.

Similarly, access to specialist dictionaries, can be a useful support for those learners with conditions that make accurate spelling a challenge for them, e.g. dyslexia. Removing access to a dictionary may act as an unintended barrier to their achievement of the FSQs.

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<sup>1</sup> The term 'protected characteristics' is defined in the Equality Act 2010. Here, it means sex, disability, racial group, age, religion or belief, pregnancy or maternity, sexual orientation and gender reassignment.

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It is also not clear what the intention is for the future assessments of learners with such needs and whether AOs will be expected to uphold the barriers these requirements will present (and thus potentially bar these learners from achievement). Presumably allowing access to calculators and dictionaries in assessments where they would otherwise not be available would not be viewed as being a 'reasonable adjustment'. Ofqual will need to be clear about what adjustments will and will not be acceptable for these assessments to ensure there is a consistent approach applied to all learners who may apply for reasonable adjustments. In the absence of this clarification AOs will be left to bear the risk of legal action under the Equality Act.

More broadly, there also needs to be consideration of how these requirements will impact on the burden of assessment that is placed on learners. The need to assess with and without a calculator in Maths and with and without a dictionary in English is likely to result in the need for there to be an additional assessment where the prohibited 'tool' is not available in the assessment environment. This additional burden of assessment may act as a barrier to those learners who do not respond well to 'exam' conditions as well as to those with conditions that make assessments more challenging than usual.

The decision to remove access to calculators and dictionaries for part of the assessment is more surprising because of the nature of the FSQs and the expectation that they should 'meet the needs of employers and prepare students to apply their knowledge and skills in their working and everyday life'. It is difficult to imagine a work environment where access to dictionary and calculator resources would be denied. It is commonplace to work on a computer with automatic spelling a grammar checking facilities and to work on Excel spreadsheets that automatically carry out mathematical functions. In addition, many people now have access to these tools 24/7 via their mobile phones and use them in work and in everyday life. It therefore seems incongruent with the stated aim of the qualifications to deny access to these during assessment.

In addition to the comments already provided in relation to assessment without access to calculators and dictionaries and their potential to impact on those with disabilities the Federation is also concerned about the prescribed use of phonics in the teaching of functional skills. We fully understand that it is not Ofqual that is insisting on the use of phonics and we welcome the clarification that AOs will not be required to assess that this approach has been used. Our response to the DfE consultation included our views on the requirement to use phonics as a teaching method for the FSQs. However, we feel it is important to highlight our concerns to the regulator, particularly in respect to the impact this could have on learners with disabilities.

The Federation understands that the use of phonics has had a positive impact on the reading abilities of school age children. However, the prescription of the use of phonics in the teaching

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of functional skills is a concern because of the wide range of learners who will access the reformed FSQs. Some of these learners may be young adults who have experienced teaching through phonics and have not responded well to it. It is therefore questionable whether 'more of the same' will be an effective approach to take with them. Others may be older adults who have no experience of being taught through the phonics approach. They may or may not respond well to this teaching methodology. There is little evidence to support the effectiveness of the use of phonics in the teaching of adult learners and whether, as an approach, it does or does not work. The DfE's own publication on [Literacy and Numeracy Catch-Up Strategies](#) (October 2017) comments on the 'inconsistent evidence around how effective phonics approaches are'.

It is also not clear how effective the use of phonics is with hearing impaired learners and whether it could create a barrier to achievement for them. Also, there does not seem to be an explicit mention of these learners being able to use their usual way of working in the assessment.

So, whilst we understand the motivation to expand a successful teaching methodology from children we have concerns that it may not be the most effective approach for all learners and that it may present barriers to some learners. We therefore feel that it should be presented to the teaching workforce as an approach that should be considered as they plan their teaching of the reformed FSQs but that ultimately teachers should feel free to use their skills and expertise to devise approaches to teaching FSQs which they feel are best suited to the learners they are teaching. In a recent [speech](#) at the Freedom and Autonomy for Schools National Association (FASNA) autumn conference Nick Gibb stated that: 'Now teachers are free to pursue and debate the most effective teaching methods'. We would like to see this freedom extended to the use of phonics to ensure it is an approach that is only applied where the teacher's expertise indicates that it will be appropriate an effective with the group of learners they are working with.

**Question 29:** Are there any additional steps we could take to mitigate any negative impact, resulting from our proposals, on learners who share a protected characteristic?

Please see Q28 above

**Question 30:** Do you have any other comments on the impacts of our proposals on learners who share a protected characteristic?

The Federation has nothing further to add. Please see Q28 above.

**Question 31:** Are there any regulatory impacts that we have not identified arising from our proposals?

The Federation has nothing further to add.

**Question 32:** Are there any additional steps we could take to minimise the regulatory impact of our proposals?

AOs will be working to incredibly tight timescales, through no fault of their own, to bring these reformed FSQs to the market in line with a government imposed implementation date. This is not ideal when AOs will naturally want to focus on doing what it required to ensure their products are robust and high-quality.

Ofqual can support AOs in this by:

- Ensuring the requirements for assessment plans and the up-front evaluation process are clearly specified as soon as is possible so AOs have a fair chance of clearing this stage of the process at the first (or second) attempt. The more guidance/clarification Ofqual can provide of what it requires the more chance that AOs can address this successfully and not have to schedule in and resource numerous resubmissions. The Federation would be willing to support Ofqual in the provision of clarification/guidance to AOs and we can host webinars and disseminate information to our members through the FAB Functional Skills Group and/or our weekly Update at any point.

**Question 33:** Are there any costs or benefits associated with our proposals which we have not identified?

The Federation understands that Ofqual will shortly be inviting AOs to provide data on the costs associated with the introduction of the reformed FSQs and we feel this is an effective way to gather any further information on costs. It will be particularly important to gather information on the costs of assessment in the future in terms of developing items, compiling assessment papers, marking, offering resits, centre support etc.

**Question 34:** Is there any additional information we should consider when evaluating the costs and benefits of our proposals?

The Federation believes that the costs that centres may need to bear should also be considered. Examples of centre costs are:

- Training of staff to deliver the reformed content. These costs will be higher if the content is not significantly clarified following consultation feedback.
- Training of staff in the use of phonics as a teaching method. Not all teachers will be familiar with the approach and will require training and support.
- Costs of increased assessment and invigilation requirements, particularly if the calculator/non-calculator and dictionary/non-dictionary requirements are implemented.
- Costs of increased volume of resits if the level of the reformed FSQ content is not correctly calibrated to national level descriptors.

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- Increased costs for registration with an AO due to the increased costs an AO will face in developing and administering the assessments for the reformed FSQs.

## **About you**

To evaluate responses properly, we need to know in what capacity you are responding to the consultation. We will only consider your response if you complete the following section. Questions marked with a \* are required.

**Name \*:** Ailin O’Cathain

**Organisation (if applicable):** Federation of Awarding Bodies

**Position (if applicable):** Head of Policy

**Is this a personal response or an official response on behalf of your organisation? \***

Personal response (please answer the question ‘If you ticked ‘Personal response’’) )

Official response (please answer the question ‘If you ticked ‘Official response’’) )

**If you ticked ‘Official response’, which of the following are you? \***

Awarding organisation

Local authority

School or college (please answer the question ‘School or college type’ below)

Academy chain

Private training provider

University or other higher education institution

Employer

Other representative or interest group (please answer the question ‘Type of representative group or interest group’ below)

**Type of representative group or interest group**

Group of awarding organisations

Union

Employer or business representative group

Subject association or learned society

Equality organisation or group

School, college or teacher representative group

Other (please state below)

The Federation of Awarding Bodies is the trade association for vocational and technical awarding organisations (AOs) with over 125 organisations in full membership ranging from large generic AOs to those working in specific occupational areas, including professional bodies.

Our members operate across a wide range of vocational/technical sectors and provide a range of qualifications to support learners to qualify and progress in their chosen sector. Our membership includes the majority of the awarding organisations that award the current functional skills qualifications (FSQs) and we have a dedicated forum where our members meet to discuss matters related to the functional skills reform programme; the FAB Functional Skills Group. We therefore have an interest in this consultation on the English and Math Functional Skills and in the DfE's English and Maths Functional Skills content consultation to which we have also responded.

This consultation response is provided on behalf of the Federation's membership following consultation with the members of the FAB Functional Skills Group. However, AOs are a diverse community and our members may wish to make their own individual submissions containing their own perspectives and emphases, in addition to any comments forwarded to the Federation for inclusion in this overall response.

**Nation\***

England

Wales

Northern Ireland

Scotland

Other EU country: \_\_\_\_\_

Non-EU country: \_\_\_\_\_

**How did you find out about this consultation?**

Ofqual's newsletter

Ofqual's social media channels

Other social media channels

Ofqual's website

Internet search

Other: \_\_\_\_\_